IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT:

THE HON'BLE SRI JUSTICE B. SUDERSHAN REDDY

And

THE HON'BLE SRI JUSTICE C.V. RAMULU

WRIT PETITION No.9330 of 2005

Between:

Tahara Begum,
R/o. Bahadurpura, Hyderabad.

..... PETITIONER

AND

1) The Station House Officer, Bahadurpura Police Station,
Hyderabad.

2) The Commissioner of Police, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, direction, or a Writ, more particularly one in the

nature of Writ of Habeas Corpus directing the respondents herein to produce Rahmanuddin Abbu, S/o of the Petitioner herein before this Hon'ble Court, who was illegally detained by Police Personnel of Bahadurpura Police Station since 19-04-2005, apprehending danger to his life and set him at liberty forthwith.

Counsel for the Petitioner: TELEGRAM

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following :

ORDER:(Per Hon'ble Sri Justice B. Sudershan Reddy)

In the affidavit filed by the Inspector of Police, Bahadurpura Police Station, Hyderabad, in response to the notice issued by this Court in this Writ of Habeas Corpus,

it is stated that the alleged detenu Gulam Qusru @ Jabbar was arrested on 21-04-2005 in connection with the investigation into Crime No.76 of 2005 registered under Section 379 of the Indian Penal Code. In the telegram issued to this Court, the name of the alleged detenu is mentioned as Rahmanuddin Abbu son of the petitioner Smt. Tahara Begum, resident of Bahadurpura, Hyderabad. But on verification, the police found that the correct name of the alleged detenue is Gulam Qusru @ Jabbar and not Rahmannuddin Abbu. The fact remains that the person is one and the same.

The police having arrested the accused on 21-04-2005, produced him before the learned II Metropolitan Magistrate, Nampally, who upon perusing the relevant documents of arrest sent the alleged detenu to judicial custody for initial period of 15 days. The alleged detenu is now lodged in Central Prison, Chenchalguda, Hyderabad.

In such view of the matter, no relief could be granted in this Writ of Habeas Corpus. The matter does not require our interference for the present.

The Writ Petition fails and the same shall accordingly stand dismissed without

any order as to costs.

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B. SUDERSHAN REDDY, J

Date:28-04-2005.

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C.V. RAMULU, J

PV

To

1) The Station House Officer, Bahadurpura Police Station,
Hyderabad.

2) The Commissioner of Police, Hyderabad.

3) The Section Officer, P.I.L. Section, High Court of A.P.,

Hyderabad (O.U.T.)

4) Two C.Cs. to the Advocate General, High Court of A.P.,

Hyderabad.

5) Two C.D. copies